

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

Chairman Leonardis opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

This meeting was held in accordance with the Open Public Meeting Act and as such, proper notice of this meeting was published in The Observer, The Courier News and The Star Ledger providing same to the Borough Clerk.

It is the policy of the South Plainfield Zoning Board of Adjustments, not to hear any new applications after 10:00 pm and no new witnesses after 10:30 pm.

ROLL CALL:

Present:

Gino Leonardis, Chairman
Ken Bonanno
Maria Campagna
Darlene Cullen
Cindy Eichler
Frank Lemos
April Wasnick, 1st Alternate
Joseph Scudato, 2nd Alternate

Absent:

James Gustafson, Vice Chairman

Also attending, John Wiley, Esq.; Bob Bucco, PE, CME, CPWM; Jeff Cucinotta, PP

MINUTES:

May 21, 2019

Chairman Leonardis called for a motion of **approval**. Mrs. Campagna made motion, seconded by Mr. Lemos. Those in favor: Mr. Bonanno; Mrs. Campagna; Mr. Lemos; Mrs. Wasnick; Mr. Scudato and Chairman Leonardis. Those oppose: None

June 4, 2019

Chairman Leonardis called for a motion of **approval**. Mr. Lemos made motion, seconded by Mrs. Eichler. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick and Chairman Leonardis. Those oppose: None

June 18, 2019

Chairman Leonardis called for a motion of **approval**. Mr. Lemos made motion, seconded by Mrs. Eichler. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick and Chairman Leonardis. Those oppose: None

July 2, 2019

Chairman Leonardis called for a motion of **approval**. Mr. Lemos made motion, seconded by Mrs. Eichler. Those in favor: Mr. Bonanno; Mrs. Campagna; Mr. Lemos; Mrs. Wasnick and Chairman Leonardis. Those oppose: None

July 16, 2019

Chairman Leonardis called for a motion of **approval**. Mr. Lemos made motion, seconded by Mrs. Eichler. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick; Mr. Scudato and Chairman Leonardis. Those oppose: None

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

RESOLUTIONS:

A. Case #11-19 – Sehal Patel

**Block 254: Lot 17.01 C0002: R 1-2 Zone
156 Teeple Place**

The applicant requested to construct a roof over front landing and steps that requires a Front Yard Setback Variance.
Required 30' — Requesting 25' — Variance 5'.

Chairman Leonardis called for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mrs. Wasnick and Mr. Scrudato. Those oppose: None

B. Case #11-19 – Dinesh Patel

**Block 254: Lot 17.01 C0001: R 1-2 Zone
154 Teeple Place**

The applicant requested to construct a roof over front landing and steps that requires a Front Yard Setback Variance.
Required 30' — Requesting 25' — Variance 5'.

Chairman Leonardis called for a motion of **approval**. Mr. Scrudato made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mrs. Wasnick and Mr. Scrudato. Those oppose: None

C. Case #13-19 – Mark Sprenger

**Block 160: Lot 15: R 10 Zone
622 Sampton Avenue**

The applicant requested to construct a 14' X 13.7' rear deck and enclosed an existing porch that requires a Second Front Yard Setback Variance: Required 30' — Existing 4.6' (house) and proposing 15' (deck) — Variance 25.4 (house) and 15' (deck).

Chairman Leonardis called for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mrs. Wasnick and Mr. Scrudato. Those oppose: None

D. Case #15-18 – Starlight Properties, LLC

**Block 528.01: Lot 45.01: M-2 Zone
50 Cragwood Avenue**

The applicant requested a subdivision and preliminary and final site plan with use and bulk variances. Lot Width - Required: 300 feet - Proposing: 149 and 174 feet - Variance: 151 and 226 feet.

Chairman Leonardis called for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick and Chairman Leonardis. Those oppose: None

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

E. Case #01-19 – DCD Capital, LLC
Block 523: Lot 9: OPA-1 Zone
401 Durham Avenue & 120 McKinley Street

The applicant requested a Preliminary and Final Site Plan with Subdivision that requires Bulk Variances to construct a four-story, 96,750 square foot storage unit building.

Chairman Leonardis called for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick and Chairman Leonardis. Those oppose: None.

F. Case #06-19 -- Christian & Tisha Villagomez
Block 431: Lot 2: R-10 Zone
1600 Peek Street

The applicant requested to construct a 24' X 29' X 15' attached two-car garage with a breezeway that requires bulk variances. Variances being requested: Front Yard Setback: Required: 30' – Proposing: 20' 8" - Variance: 9' 4"; Side Yard Setback: Required: 8' – Proposing: 5' - Variance: 3'.

Chairman Leonardis called for a motion of **approval**. Mrs. Cullen made motion, seconded by Mrs. Eichler. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos and Mrs. Wasnick. Those oppose: None.

HEARING: (1 residential — 2 Commercial)

A. Case #14-19 -- Debbie Malecki
Block 212: Lot 15: R-7.5 Zone
125 Avon Avenue

The applicant is requesting to construct a 43' X 28' X 15' - 952 square foot detached garage which requires a variance. Maximum size allowed - 576 square feet: Proposing - 952 square feet; Variance - 376 square feet.

Debbie Malecki – 125 Avon Avenue, South Plainfield, New Jersey – Applicant and homeowner is sworn in. Would like to build a garage behind the house. Property is 93' X 230'. The garage would be 43' X 28' to house two (2) pick-up trucks.

Chairman Leonardis asked Mrs. Malecki to describe the existing house. Mrs. Malecki stated that the house is a small ranch with a one (1) car attached garage. Currently, new siding and roofing are being added to the house. Proposed garage will have the same siding and roofing. The garage is for her son and husband's vehicles... to remove the vehicles from the outdoors. The pick-up trucks have extended bed and cab. Therefore, need the larger length of the garage.

Chairman Leonardis asked Mrs. Malecki what the vehicles are used for. Mrs. Malecki stated that they are personal use vehicles. Son recently purchased his truck.

Mrs. Cullen stated that the plans indicate a shop area. Mrs. Cullen asked if there will be work done in the shop. Per Mrs. Malecki, no... the shop area will be used for the 'boys' toys. Possibly for tires from their 'toys'.

Chairman Leonardis asked Mrs. Malecki to describe the construction of the garage.... What it is made out of? Who is building it? Mrs. Malecki asked if her husband can speak.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

Frank Malecki, Jr. – 415 Norwood Avenue, South Plainfield, New Jersey – Applicant's husband. Mr. Malecki stated the construction will be 2" X 4" walls on a block foundation. Roof trusses. Typical sheathing. Siding and roofing to match house.

Mr. Scudato asked if there will be electric in the garage. Mr. Malecki stated that the plans call for electric and will put it in when he is able to afford it. Mr. Scudato asked if there will be plumbing. Per Mr. Malecki, no.

Chairman Leonardis asked if Mr. Malecki resides at this address. Mr. Malecki stated that he does not. Lives around the corner.

Mrs. Malecki stated that her mom is elderly and purchased the house for her. Will be living with mom at this property 'until her demise'. Back yards connect. The garage at 415 Norwood is not large enough for the trucks... they are too long.

Mrs. Eichler asked if there is currently a driveway to the proposed garage. Mrs. Malecki stated no, but there will be. Mrs. Cullen asked if it will be from Avon. Both Mr. and Mrs. Malecki stated yes.

Mrs. Campagna asked what will the current garage be used for. Mr. Malecki stated it is very small... storage. Mrs. Malecki stated her vehicle. Her vehicle sits outside. Has two (2) vehicles... one (1) stays in the garage and the other stays outside. One (1) will be in one garage because it is not driven in the winter. The other garage will have her other vehicle.

Mrs. Campagna asked how far from the back of the house is the garage. Chairman Leonardis stated he was going to ask that as well. Chairman Leonardis asked if there is a site plan. Mr. Malecki stated did not bring survey. It is determined the survey is attached to the application packet. Mr. Malecki stated that the neighbors to the left have garages... wants to keep them in line. Approximately sixty (60) to seventy (70) feet from the back of the garage to the rear property line. Both Mrs. Cullen and Mrs. Eichler stated that it is shown as five feet (5') from the property line on the survey. Chairman Leonardis reiterated the same. Mr. Malecki stated it will not be five feet (5')... at least sixty (60) off the back and at least fifteen (15) from the side yard.

Mr. Lemos asked how will the vehicles get to the garage. Mr. Malecki stated will install a driveway. Mr. Lemos asked on the side of the house or the porch. Per Mr. Malecki, yes. Mr. Lemos continued... will the driveway be paved or grass? Mr. Malecki stated stone. Mr. Scudato asked if the porch would have to be removed. Mr. Malecki stated no.... there is plenty of room. Believes there is twenty-one feet (21'). The driveway will be approximately eight feet (8'). Will leave a buffer between the neighbor's house and driveway. Low line bushes. Mr. Lemos stated was at the property today and believes that is the best place. It does not impact the neighbor. The neighbor has a carport. Mrs. Malecki stated looking at the house to the left of the carport, the house next door is the house her husband grew up in. Mr. Lemos likes the idea of having driveways near each other.

Chairman Leonardis stated the roof design will have trusses. As a condition, there will be no one living in the garage. Mr. Malecki stated no... there will be electricity but no plumbing. Mr. Malecki stated doesn't believe will have heat. If anything, when the electric is installed may do electric heat. Mr. Lemos asked if the Malecki's agree to have in the resolution no bathroom.... No plumbing of any kind. Mr. Malecki stated absolutely.

Chairman Leonardis opened the discussion to the Public. No questions or concerns.

Chairman Leonardis stated this is a large garage. Knows the area well. The homes are smaller but on large lots that can support the size of the garage in the rear.

Chairman Leonardis stated does not see electrical on the plans. Mr. Malecki stated it is in the plans, basic lighting. Had new service put in the house. Was told to put 50 amp to the garage because will lose some due to the distance.

Chairman Leonardis called for a motion of **approval** with the conditions discussed... no living space in the garage, no plumbing or bathroom only electric service. Mr. Lemos made motion, seconded by Mr. Bonanno. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos, Mrs. Wasnick, Mr. Scudato (Alternate) and Chairman Leonardis. Those oppose: None.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

B. Case #42-18 -- Billybordz 287, LLC
Block 528.01: Lot 46.04: M-2 Zone
5000 Hadley Road

The applicant is requesting a preliminary and final site plan with conditional use and bulk variances to construct a billboard. Carried from June 18, 2019.

Thomas Monahan, Esq. - Gilmore & Monahan, PA, 10 Allen Street, Toms River, New Jersey - attorney for the Applicant addressed the Board Members. Previously heard on June 18, 2019. There was a gentleman sitting on the end. Curious on the number of members that can vote. It is determined that there are seven (7) Board Members that are eligible to vote. Did not finish with the Planner from last meeting.

Andrew Janiw – Beacon Planning and Consulting Services, 315 Highway 34, Colts Neck, New Jersey - is sworn in and accepted as a Professional Planner. Mr. Monahan questioned Mr. Janiw:

- Visited the site.
- Reviewed plans and all correspondence. Master Plan and Ordinance. Municipal Land Use Law.
- Conditional Use for the zone.
 - South Plainfield permits billboards in non-residential zones that abut Route 287.
 - Property in M-2 – Industrial zone along Route 287.
 - Eight (8) standards with standard G having eleven (11) subsections.
 - Do not meet all the standards.
 - Need D3 variance.
- Described the site:
 - Property located north side of the road between Stelton and Cragwood.
 - Existing office buildings.
 - Large parking lot.
- Proposing two (2) sided billboard addressing Route 287.
- Billboard will occupy four (4) parking spaces.
- Height of proposed billboard - 47.38' to the top as measured from Route 287.
 - Standard requires measurement from Route 287.
 - Unique condition – substantial slope from Route 287 to parking lot.
 - Parking lot - eleven feet (11') over Route 287.
 - Proposed billboard is thirty-six feet (36)' tall from parking lot.
- Property surrounded by commercial uses.
- Will not be visible from residential properties.
- Objectives of Master Plan.
 - Route 287 bisect Borough.
 - Route 287 well-traveled.
 - Ideal corridor for advertising.
 - Borough created standards for billboards relating to Route 287.
 - Furthering goals and objectives.
 - Municipal Land Use Law defines special reasons.
 - Provide sufficient space and appropriate locations for a variety of agriculture, residential, recreational, commercial and industrial uses.
 - Significate highway frontage.
 - Consistent with locations of billboards.
 - Appropriate location for this type of application.
 - Encouraging location for private and public activities.
 - Existing office building - Underutilized.
 - Parking is underutilized.
 - Billboard would remove four (4) parking spaces that are not used.
 - Route 287 has a bend.
 - Maximizes the view.
 - Coventry Square.
 - Conditional use that does not meet all conditions.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

- When the use is accepted and suitable for the area but does not meet all the requirements must demonstrate that the deviation can be accommodated or the detriments are mitigated or not a nuisance.
- Must satisfy negative criteria that this billboard will not be a detriment to the public good and to the Zone Plan or Zoning Ordinance.
- Proposing a two (2) sided digital billboard.
 - Many along Route 287.
 - Complies with Federal Standards for messaging or turn over time for messages.
 - Not blinking or flashing.
- Reviewed Borough Ordinance.
 - Permitted conditional use along Route 287. Meets criteria
 - Billboard must be five hundred feet (500') from any residential boundary. Meet criteria.
 - Deviate from:
 - B – billboard height – maximum is forty feet (40') average elevation over Route 287 extending from two hundred feet (200') either side of proposed billboard.
 - Proposed height 47.38' from Route 287.
 - Height allows twenty feet (20') elevation above parking area.
 - Amble height for circulation under the billboard.
 - Eleven feet (11') height difference from Route 287 to parking lot.
 - Concern for vegetation under billboard.
 - Do not want to have vegetation interfere with billboard.
 - E – billboard numbers – maximum of billboards along Route 287 on both sides is four (4) per linear mile. Minimal distance between two (2) billboard along one (1) side should not be less than one thousand feet (1,000').
 - Proposed billboard – meet one thousand feet (1,000') from another billboard.
 - Deviation - Will be fifth (5th) billboard where maximum is four (4).
 - G – Sub item #8 – billboard should not use movable letters and messages.
 - T&M review letter concluded that NJDOT Regulation – Multiple message sign. This is a changing message sign. Per Mr. Slachetka, this is a movable, changeable sign.
 - Meets Federal Regulation with instant change.
 - Meet all other criteria.
 - Previously discussed lighting and ambient lighting.
 - 'The way of the future with billboard.'
- Does not believe billboard will be a nuisance.
 - Introduced Exhibit A-6 – Google Aerial – Whispering Hills Suites.
 - Demonstrates location of the proposed billboard – across Route 287 from this location.
 - Picture of car under billboard.
 - Similar situation.
 - Extends into the parking lot.
 - Island of landscaping.
 - Submitted OPRA Request to Police, Fire and EMS regarding vehicle or pedestrian incidents.
 - 2016 & 2017 - one (1) incident in each year.
 - 2018 - no incidents.
 - 2019 – no incidents up to the date of the OPRA request.
 - Introduced Exhibit A-7 – Wawa – Old Bridge – Route 9 south.
 - Approved 2010 – Built 2012.
 - Digital sign next door by this Applicant. June 2015.
 - Wawa and Hotel have significant 'move activity' then proposed site.
 - Wawa has twelve (12) fueling stations and seven thousand (7,000) square foot convenience store.
 - OPRA request for this site stated that at times Police would have people pull into the Wawa instead of stopping on the road.
 - Ten (10) to twelve (12) incidents on average per year.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

- No significant increases with billboard.
- Application goes to Police for comment. Would have been alerted if an issue.
- Times Square does not comply with Federal Standard. Committee requires moving sign.
- People have been accustomed to billboards.

Chairman Leonardis asked Mr. Janiw what is his interpretation of the Ordinance regarding the height of forty feet (40'). Mr. Janiw stated that the Ordinance recognizes that Route 287 has elevation changes. However, does not believe that the Ordinance recognized the area regarding parking. Ordinance does want landscaping and stealth poles. In order to do so, need to raise the sign. Chairman Leonardis asked Mr. Janiw to review the elevation. It is determining 97.5 grade changes to one hundred ten (110) for foundation. From there thirty-six feet (36') then an additional thirteen feet (13'). Above route 287 as forty-nine feet (49'). Mr. Janiw stated 47.38'. Parking lot is 108.8 and Route 287 - 97.2. Chairman Leonardis asked if Mr. Janiw knew the difference in height for the sign. Mr. Stapleton, owner, who was sworn in previously stated that he built the sign in 2006 and the Ordinance was fifty feet (50'). In 2010, the Ordinance was changed to 40'. All the signs along Route 287 were built when the Ordinance was fifty feet (50'). Chairman Leonardis asked Mr. Stapleton why the change in Ordinance. Mr. Stapleton stated recommendation by the town. Chairman Leonardis believes that the height was in excess and the signs were being seen much further away than at forty feet (40') Just an assumption. The higher it is the more likely that residential area is able to view it. Mr. Janiw stated that Mr. Slachetka's letter stated it was over one thousand feet (1,000') from residential. Mr. Stapleton stated that due to the grading and the setback, in order for the back of the sign to be visible, it would have to be higher.

Chairman Leonardis asked what is the reasoning regarding the billboard density per Ordinance. Mr. Janiw stated overcrowding. Something that stands alone. Chairman Leonardis stated that the Ordinance does not state anything regarding the curve in the road. Mr. Janiw agreed. Chairman Leonardis asked why does the Planner believes that the 5th billboard would not cause a hardship to the Borough. Mr. Janiw replied that the Ordinance tries to prevent clutter. What it does not consider is something like a bend in the road. The north bound side has two signs two thousand feet (2,000') apart. The south bound side would have the sign in the middle of the two thousand feet (2,000) separation.

Chairman Leonardis stated if this was in a residential area, the lot widths were 200' and around a corner does not justify why there should be more housing. Mr. Janiw stated there is consideration for lots on a cul-da-sac... don't measure at the cul-da-sac but at the setback. The ordinance is targeting traffic on Route 287. Chairman Leonardis stated that the Ordinance makes no mention regarding the curvature of the road. Only linear footage and number of billboards. Mr. Janiw stated there are separated across from each other and 1,000 feet apart particularly the long distance on the other side of the highway.

Mr. Cucinotta asked what is the clearance of the sign in Old Bridge. Mr. Janiw stated 40' over Wawa. Mr. Cucinotta asked if the sign is over a parking lot. Per Mr. Janiw, no... property next door.

Mrs. Campagna stated that she has been on the Board before there were Billboard Ordinances. Those who worked on the Ordinance worked long and hard to create the existing Ordinance. Does not see any public good from a 5th billboard. Appreciates that the Applicant is willing to display emergency messages on the billboard but today most people have cell phones and most emergency messages are displaced on their cell phone. Does not know how much of a message is read going fifty-five (55) plus miles per hour. No benefit of having 5th billboard and in violation of the Ordinance. Will not be supporting this application.

Chairman Leonardis opened the discussion to the public. No comments or concerns.

Mr. Monahan stated that this is the Board of Adjustment and to understand the uniqueness of the property, the elevation and of the parcel. Had individual's testimony what is seen or not seen on the billboard. Understands that most people receive emergency messages on their cell phones. Meet the positive and negative criteria. Asked to grant the variance that is being asked for.

Chairman Leonardis stated that testimony was heard from all the Professionals. Not adding a facility that will provide a service or employment except those who will run the billboard remotely. Understands that the current owner of the property is not at full capacity. Economics are not what the Board determines. Has been on the Board for many years. Believes the visual impact is more than what has described. Does not believe it will help the community.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

Businesses advertised on other billboards are forty (40) plus miles away... nothing from town. Not convinced that the Borough is in need of another billboard.

Chairman Leonardis called for a motion of **denial**. Mrs. Campagna made motion to deny, seconded by Mr. Bonanno. Those in favor of the **denial**: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos, Mrs. Wasnick and Chairman Leonardis. Those oppose: None

Chairman Leonardis called for a recess.

Chairman Leonardis called the meeting to order

**C. Case #38-18 -- Jain Vishwa Bharti of North America, Inc.
Block 267: Lot 9: HDD Zone
155 Front Street**

The application is requesting an amended preliminary and final site plan with conditional use and bulk variances to construct a two (2) two-story additional - 590 square feet and 1,488 square feet.

Patrick J. Diegnan, Jr., Esq – 2443 Plainfield Avenue, South Plainfield – attorney for the Applicant addressed the Board. Will have four (4) witnesses - Applicant, Architect, Planner and Engineer. Former VFW site. Facility has been functioning as a House of Worship since 2015. Original resolution was September 4, 2015. Would like to expand the front of the building... so it will be flat. Currently, the center protrudes. Will bring the two (2) sides forward. Left side will be for storage and expansion of the Worship facility. Right side will be used to house two (2) nuns who will be living at the facility. No expansion of services. Worship days will remain the same.

Surendra Kankaria – 151 Middlesex Avenue, Iselin, New Jersey – Board of Directors and Chairman of the institution. Mr. Diegnan questioned Mr. Kankaria:

- Residential space for two (2) nuns.
- Extension of the prayer area.
- Some storage.
- Worship services:
 - Small groups on the weekends – twenty-five (25) to thirty (30) people.
 - Small group on weekdays - forty (40) to fifty (50) people.
 - Eight (8) holy days – one hundred twenty-five (125) to one hundred fifty (150) people.
- No change in activities.
- Familiar with request of the Board Professionals – will comply.

Chairman Leonardis asked Mr. Kankaria where the two (2) nuns currently live. Mr. Kankaria stated currently in the facility at 151 Middlesex Avenue, Iselin, New Jersey... at the facility for fifteen (15) years. They do not drive or cook. Food is served to them... brought to them. At any given time, only two (2) stay at the facility but do rotate.

Mr. Scudato asked Mr. Kankaria if the nuns will have own bathroom and shower. Per Mr. Kankaria, yes. Architect will discuss.

Mrs. Wasnick asked since they will not be cooking, will there be an addition of a kitchen or will they use the existing kitchen. Mr. Kankaria stated there is a pantry. When there are gatherings, food is brought in warmed. The nuns do not cook. Everyday food is brought to them as an 'offering'. Mrs. Wasnick asked will there be any cooking in the facility. Mr. Kankaria replied they will not be doing any cooking.

Vinu Patel – VP Architectural Design, LLC – 200 Perrine Road, Suite 202, Old Bridge, New Jersey – is sworn in and accepted as a Professional Architect. Addressed the Board.

- First Floor:
 - Right side – small area for nuns... living room, dining room, warming area – not a full kitchen. Food is brought to the nuns daily.
 - Left side – small area used for storage.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

- Second Floor:
 - Right side – two (2) bedrooms, one (1) bathroom and small sitting area.
 - Left side – small area, prayer room.
- Total addition – two thousand (2,000) square feet.
- Matching brick... will blend with existing bricks.

Mr. Scudato asked if the new area will have heat and air conditioning. Per Mr. Patel, yes. Mr. Scudato asked if the heating and air conditioning units have to be upgraded. Mr. Patel stated that there will be a separate unit for the residential area. That area will be occupied most of the time where the rest of the building is only occupied on weekends primarily. Mr. Scudato asked if there is a basement. Mr. Patel replied that there is a lower level. The previous owners used it as a bar. Mr. Scudato asked if they will be going down to the basement level. Per Mr. Patel, will go down to the basement level.

Mrs. Campagna asked how many rooms will be in the living quarters. Per Mr. Patel, two (2) bedrooms. Mrs. Campagna questioned the two (2) story addition. Mr. Patel stated that the first floor has a living area, dining area, powder room and a warming kitchen. Mrs. Campagna questioned two (2) rooms upstairs and two (2) rooms downstairs. Mr. Patel stated not all bedrooms. Mrs. Campagna questioned the other side addition.... Two (2) rooms. Mr. Diegnan stated upstairs will be a worship room and downstairs will be storage area. Mrs. Campagna questioned the front of the building. Mr. Patel submitted Exhibit A1 – Rendering Exterior. Brick and Stucco.

Mr. Scudato asked if the roof will have to be redone. Mr. Patel stated that the roof will be extended. Chairman Leonardis reiterated... if the entire roof will be re-roofed. Mr. Patel stated yes... because of the design.

Mrs. Campagna asked if anything will be done on the other side of the building. Mr. Patel demonstrated the new area on the Exhibit. Mrs. Campagna stated looks 'pink'. Mr. Patel it is real brick.... The color on the exhibit is not the actual color... printing issues.

Chairman Leonardis wanted a clarification on a question that was asked by Mr. Scudato... that the first floor will not be at the same elevation as the former bar. Mr. Patel stated it is on grade... go down four (4) steps to the bar area. Chairman Leonardis asked again for a clarification. Mr. Patel explained that the living area will be at grade and the storage area with the basement bar level.

Mr. Cucinotta asked the first floor plans have identified a unisex handicap bathroom. Mr. Patel stated that there was a permit last year to create the handicap bathroom. It is existing.

Mr. Cucinotta asked regarding seating. Parking is calculated on the number of seats which is not indicated on the floor plan. Assuming it is not a fixed seating arrange. Mr. Patel stated it will not change from the previous approval. After prayer, they leave.

Mr. Scudato asked if the nuns will be living there full-time, will the area have to be re-zoned. Does not believe it is zoned as residential.

Chairman Leonardis opened the discussion to the public. No comments or concerns.

Michael Marinelli – Menlo Engineering, 261 Cleveland Avenue, Highland Park, New Jersey – is sworn in and accepted as a Professional Engineer. Addressed the Board:

- Introduced Exhibit A2 – Aerial of Existing Conditions dated July 2, 2019. Titled JVB South Plainfield Block 267 lot 9 - 1.17 acres.
- Existing property is outlined in white.
- Access from Front Street.
 - Existing full movement driveway.
- 1.17 acres.
- HDD Zone.
- Conditional Use.
- Place of Worship
 - Existing – received approval September 1, 2015.
- Was former VFW building.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

- Existing structure is four thousand two hundred thirty (4,230) square feet in foot print.
 - Approximate eight thousand four hundred sixty-six (8,466) square feet in total.
- Parking on Eastern side - rear of building.
 - Stripped and paved.
 - Forty-six (46) existing spaces.
- Introduced Exhibit A3 – same background as Exhibit A2 but highlighted area with existing structure and proposed addition.
 - Expand building.
 - Existing building almost 'T' shaped.
 - Proposing to 'fill-in' the 'T' space. Northwest was and southwest of the facility.
 - Worship space – two hundred ninety-five (295) square feet footprint or five hundred ninety (590) square foot total space.
 - Living area – seven hundred forty-four (744) square feet footprint or one thousand four hundred eighty-eight (1,488) square foot total space.
- Site Plan improvements:
 - Mill and overlay parking lot. Re-strip.
 - Remove some parking spaces off site. Eastern portion of the lot... remove two (2) spaces.
 - Wheel stops along building. Already installed. Will be removed and replaced.
 - Will meet Ordinance.
 - Forty-four (44) spaces are proposed.
 - VFW had an occupancy of one hundred eighty (180).
 - Applicant stated maximum of one fifty (150) on a high holiday.
 - Did parking calculations on one hundred eighty (180).
 - Forty-five (45) spaces per Ordinance.
 - Deficient of one (1) space.
 - Entered into an agreement with Church... shared parking.
 - Have signed affidavit with Church
 - Active facility... no parking issues.
 - Dumpster enclosures. Two (2) dumpsters... one (1) for recycling... one (1) for solid waste.
 - Improvement to lighting and landscaping.
 - Street tree added.
 - New LED fixtures with down casting backlight shielding.
 - Stormwater Manager is not required.
- Seeking design waivers:
 - Driveway setback – two (2) feet exists where five (5) feet required.
 - No curbing along driveway. Would like to continue.
 - Drainage 'sheet flow' currently.
 - No curbing along parking. Drains into grass areas. Would like to continue.
 - Pavement setback – two (2) feet exists where five (5) feet required.
 - Existing Pylon sign. Non-confirming and not permitted. Has existed for VFW.
 - Requesting waivers for Environmental, Stormwater Management, Sewer plan and full landscape buffer.
 - Southern part of line – plantings and fence.
 - Eastern portion will be supplemented with evergreens and extension of split rail fence.
 - Some buffering northern edge. Will buffer with six foot (6') stockade fence.
- Has gone through Professional review letters.
 - Mr. Bucco stated has met with the Engineer prior to the meeting and have addressed most items.

Mr. Bucco asked regarding 36" drain easement through the property, who is the owner. Mr. Marinelli stated it is not an easement through deed or of record. Property owner maintains it. Runs to an inlet by Front Street. Mr. Bucco stated if this is collecting from public entities, should be an easement. Mr. Marinelli stated will create an easement. Mr. Bucco stated that the new location for the dumpster is on top of the thirty-six inch (36") pipe – easement. Mr. Diognan stated esthetically, that is good location for the dumpster. In an emergency, it is easily moved. Mr. Bucco stated that should be indicated if someone needs to come out and maintain the easement, that the dumpsters and/or area will be at the Applicants cost. Several Board Members agreed.

Mr. Bucco asked to go to page 6... E1 – Additional information regarding right-a-way. Mr. Marinelli stated will provide. Mr. Bucco to identify the location of the fence... where starts and stops. Northern edge six foot (6')

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

stockade fence from the setback line nearest Front Street heading east to the property line. Proposing from the existing split rail along the common lot line on the eastern side. Will terminate near existing stockade fence.

Chairman Leonardis stated that the canopy of the large tree is over the addition. Mr. Marinelli stated a lot of the trees have shadows. Chairman Leonardis stated if the tree has to come down during construction, another tree should be placed. Mr. Bucco asked to have that as a note on the plans.

Mr. Cucinotta asked if any existing trees are being removed. Mr. Marinelli stated yes, one (1) on the left side indicated on the plans. It is a small ornamental tree. To replace, will provide an additional shade tree in the front and if another tree to be removed during construction, will replace.

Chairman Leonardis asked if there will be any additional landscaping or hardscaping. Mr. Bucco stated there is a landscape plan.

Chairman Leonardis asked if there will be any additional shrubs along the front of the building. Mr. Marinelli stated there are none at this time. Chairman Leonardis asked if the Applicant is willing to add some on both sides. Mr. Marinelli stated will add some shrubs on both sides. Mr. Marinelli offered to provide the Board Professionals foundation planting plan. Board agreed.

Chairman Leonardis asked if there will be a sidewalk added or is it an emergency egress on the south side of the new addition. Mr. Marinelli stated on the original site plan, had a pad in place. However, it will now be the main entrance for the nuns. Will provide a path... pavers or walkway. Sidewalk will be properly lit.

Mr. Scudato asked if the property will be re-zoned. Mr. Marinelli stated it will be addressed by the Planner.

Mrs. Cullen questioned the Fire Prevention review letter. Mr. Marinelli a memo received June 8, 2019 from JA Abbruzzese stating has received the plans and has no objections. Chairman Leonardis stated as long as the Applicant will leave the existing NFPA 13 sprinkler in place. Mr. Marinelli stated which it is. Mr. Marinelli stated no comments or concerns from Mr. DeLair.

Chairman Leonardis read a memo from E. Laferrera dated January 10, 2019 from Fire Prevention. This review letter came after Mr. Abbruzzese:

- Installation of Carbon Monoxide Detectors. Per Mr. Marinelli, yes.
- Indicate if the building will have a sprinkler system in place. NFPA 13.
- Will the existing sprinkler system be updated? Per Mr. Patel stated only the residential portion.

Mr. Cucinotta asked if there are any proposed changes to the sign. Per Mr. Marinelli, none.

Chairman Leonardis opened the discussion to the public. No comments or concerns.

Robert Longo – Cornerstone Architectural Group, LLC – 202 Hamilton Boulevard, South Plainfield, New Jersey – is sworn in as a Professional Planner. Addressed the Board.

- Conditional Use.
- HDD Zone.
- Places of Worship are conditional use in HDD zone.
- Includes all residential use including convent and rectories.
- Conditional Uses in zone.
 - Sacred Heart Church – including convent and rectory.
 - First Baptist Church – including convent and rectory.
- D-3 variance.
 - Use is permitted in zone if meets all conditions. Does not meet all conditions in Ordinance.
 - Four (4) Conditions.
 1. Meet all setbacks. Applicant does meet all setbacks.
 2. Meet lot size requirements. Application does meet lot size requirement.
 3. Parking. One (1) parking space short.
 4. Must be located on an anterior road. Do not meet.
 - a. Front Street is a minor collector road.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
September 17, 2019

- Approximately ten (10) other Places of Worship in South Plainfield.
 - None located on anterior roads.
 - Only anterior road is Stelton Road.
- In T&M report, listed Places of Worship as beneficial uses.
- Positive Criteria:
 - Use is inherited beneficial.
- Negative Criteria:
 - Without substantial detriment to the public good.
 - Will not impair the intent and the purpose of the Zone Plan and Zone Ordinance.
- Use existed for over three (3) years.

Mr. Scudato questioned that when the property was transferred in 2015, there would be no 'add on' to the building. Mr. Longo stated it is not in the Resolution. Concern regarding the occupancy of one hundred eighty (180). One (1) parking short to accommodate the occupancy.

Chairman Leonardis asked to review the previous Resolution. Board reviewed the previous Resolution. Mr. Longo stated there are thirteen (13) items of conditions.

Mrs. Campagna stated that at the time of the previous hearing, the Applicant had no plans for any expansion.

Mrs. Eichler stated that the previous resolution stated that the Applicant is not proposing any expansion. Nothing stating it can't.

Chairman Leonardis opened the discussion to the public. No comments or concerns.

Chairman Leonardis stated it is a conditional use with one (1) parking space short. 'Filling in' of the building to create a rectangle as oppose to the 'T' it is currently. Not encroaching any setbacks. Not going further than the existing building. Nice addition. New roof.

Mr. Bucco stated provide an easement for the storm drain. Waivers for Environmental, Traffic, Storm Water and Recycling Plan.

Chairman Leonardis called for a motion of **approval**. Mrs. Eichler made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna; Mrs. Cullen; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick; Mr. Scudato and Chairman Leonardis. Those oppose: None. Mr. Bonanno abstained from the vote.

INFORMAL HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS: None

CORRESPONDANCE: None

EXECUTIVE SESSION: None

ADJOURNMENT: 9:30 PM

Respectfully Submitted,
Joanne Broderick
Recording Secretary